

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**DEPARTMENT OF TRANSPORTATION**



**d.** Public Space Regulation Division

Thursday, April 26, 2018 at 09:00 AM

*\*The meeting was called to order by Matthew Marcou at 9: 26 am.*

*Attendance: Matthew Marcou, Elliott Garrett, Chris Shaheen, Kisha Allen, Anna Chamberlin, Andrew Wiley, Catrina Felder*

**Consent Agenda**

9:28 AM – 9:45 AM

***Applications on the Consent agenda were Approved as Submitted with the Vote: 3 to 0***

- 1) ANC 7B02 - **2951 FORT BAKER DRIVE SE** - Permittee: Newland Enterprises, LLC - Owner: Newland Enterprises, LLC - Paving: Driveway(s) New -Residential, Leadwalk Only # 219951
- 2) ANC 6E02 - **1700 NEW JERSEY AVENUE NW** - New Sidewalk Cafe Un-Enclosed - Permittee: Veritas Law Firm - # 10453230
- 3) ANC 3E01 - **4445 WISCONSIN AVENUE NW** - New Sidewalk Cafe Un-Enclosed - Permittee: Burger Tap Shake Passion Food Hospitality - Burger Tap Shake Passion Food Hospitality # 10559917
- 4) ANC 4C03 - **4608 14TH STREET NW** - New Sidewalk Cafe Un-Enclosed - Permittee: Juan Rios - Juan Rios # 10574952
- 5) ANC 2F07 - **1013 M STREET NW** - New Sidewalk Cafe Un-Enclosed - Permittee: 11 M Property Owner LLC - 11 M Property Owner LLC # 10575266
- 6) ANC 2F06 - **901 MASSACHUSETTS AVENUE NW** - New Sidewalk Cafe Un-Enclosed - Permittee: MASSKAP LLC - MASSKAP LLC # 10585858
- 7) ANC 1C03 - **2446 18TH STREET NW** - New Sidewalk Cafe Un-Enclosed - Permittee: 2446 RU LLC DBA Roofers UNion - 2446 RU LLC DBA Roofers UNion # 10586070
- 8) ANC 6B05 - **1023 EAST CAPITOL STREET SE** - New Sidewalk Cafe Un-Enclosed - Permittee: Lisa Friedman - Lisa Friedman # 10557746
- 9) ANC 2B05 - **1102 17TH STREET NW** - New Sidewalk Cafe Un-Enclosed - Permittee: BNS Restaurant, LLC Seayd Habib Hassan Al Houseiny - BNS Restaurant, LLC Seayd Habib Hassan Al Houseiny # 10574389
- 10) ANC 5C02 - **2101 QUEENS CHAPEL ROAD NE** - Permittee: Johnson Development Associates, Inc. - Owner: Johnson Development Associates, Inc. - Paving: Driveway(s) Close Existing, Driveway(s) New-Commercial # 221616
- 11) ANC 3C06 - **4000 WISCONSIN AVENUE NW** - Permittee: DONOHOE REAL ESTATE SERVICES - Owner: DONOHOE REAL ESTATE SERVICES - Landscaping: Tree Removal, Paving: Curb & Gutter(s), Driveway(s) Close Existing, Driveway(s) New- Commercial # 232883

- 12) ,,,,, - **1ST STREET SE AND POTOMAC AVENUE SE,3RD STREET SE AND M STREET SE,NEW JERSEY AVENUE SE AND M STREET SE,HALF STREET SE AND M STREET SE** - Permittee: Tracie Claxton - Owner: Capital Riverfront BID - Fixture: Sign (w/footings)(Exception), Paving: Sidewalk(s) # 233285
- 13) ANC 5D06 - **808 BLADENSBURG ROAD NE** - Permittee: Delta Senior Housing Owner LLC - Owner: Delta Senior Housing Owner LLC - Fixture: Bike Rack(s): DDOT Standard, Trash Receptacle(s) (Exception), Landscaping: New Tree Space(s), Tree Planting, Tree Removal, Paving: ADA Curb Ramp, Curb & Gutter(s), Driveway(s) New- Commercial, Sidewalk(s) # 243817
- 14) ANC 2F02 - **1325 15TH STREET NW** - Permittee: AIMCO . - Owner: AIMCO . - Fixture: Fence to 42" (Open Design), Table (Except for commercial), Landscaping: Hedge to 36" tall, Tree Planting, Paving: Leadwalk w/Steps, Patio (porous concrete/pervious pavers ONLY) # 276826
- 15) ANC 2B05 - **1400 16TH STREET NW** - Permittee: BELA TAMANG - Owner: Neel Teague - Fixture: Bollard(s) (Exception) # 277177
- 16) ANC 6E05 - **455 I STREET NW** - New Sidewalk Cafe Enclosed - Permittee: Dean Mosones - Dean Mosones # 10575090
- 17) ANC 2C01 - **799 9TH STREET NW** - New Sidewalk Cafe Un-Enclosed - Permittee: Boqueria Penn Quarter LLC - Boqueria Penn Quarter LLC # 10575523
- 18) ANC 4A08 - **3820 ARGYLE TERRACE NW** - Permittee: Felix Papillon - Owner: Felix Papillon - Paving: Curb & Gutter(s), Driveway(s) Close Existing, Driveway(s) New -Residential, Leadwalk Only # 275984
- 19) ANC 8C03 - **3100 MARTIN LUTHER KING JR AVENUE SE** - Permittee: K Jones - Owner: Old Congress Heights School Redevelopment LLC - Paving: Driveway(s) New- Commercial # 277407
- 20) ANC 5B04 - **1201 KEARNY STREET NE** - Permittee: Plush Homes LLC - Owner: Plush Homes LLC - Paving: Driveway(s) Repair or Replace, Leadwalk Only, Projections: Stoop & Steps, Window Well(s) # 243491
- 21) ANC 5B05 - **1032 OTIS STREET NE** - Permittee: ARMSTRONG KASSA - Owner: Otis Place LLC Care of Sassan Gharai - Landscaping: Replacement Tree, Tree Planting, Tree Removal, Paving: Curb & Gutter(s), Driveway Behind Sidewalk (porous/pervious ONLY), Driveway(s) New- Commercial, Leadwalk Only, Sidewalk(s) # 207480
- 22) ANC 5B05 - **4041 7TH STREET NE** - Permittee: Yavuz Bolukbasi - Owner: Yavuz Bolukbasi - Paving: Leadwalk Only, Leadwalk w/Steps, Projections: Window Well(s) # 276562
- 23) ANC 6C05 - **659 G STREET NE** - Permittee: AMT Engineering - Owner: - Fixture: Wall/Fence Combo (Exception over 42") # 278062

### **General Agenda**

**10:40 am – 11:15 pm**

**Denied**

**Vote: 4 to 0**

**(Applicant may resubmit application)**

- 1) ANC 8D06 - **4301 SOUTH CAPITOL STREET SW** - Permittee: District Properties - Owner: District Properties - Paving: Curb & Gutter(s), Driveway(s) Close Existing, Driveway(s) New -Residential # 299425

*Discussion:*

*-Applicant submitted a revised plan during the meeting; the present plan was discussed with the community members a week ago per the applicant (Mr. Omar with District Properties).*

*-The applicant has met with the resident's and come up with the revised plan.*

*-The Chair asked if any of the reviewers have seen the revised plans that were submitted during the meeting and the applicant responded with not yet.*

*-Changes made to the revised plan since Feb:*

*The curb cut from Danbury will serves four properties and the South Capitol Street parking is currently on private property.*

*The distance from the curb to the property is not shown on the revised drawings.*

*Lot 102 and Lot 101 and 103 curb cuts are to be combine on parking beyond the property line on South Capitol Terrace*

*Lot 100 – an L shaped fence at six feet in height; proposed fencing needs specifications.*

*-existing (it appears to be five installed infiltration trenches in public space) trenches adjacent to Lots 104, 106 and 107 and no permits have not been obtained per the applicant*

*-The parking that is totally on private property is not coming before the PSC review and approval*

*-The plans are not accurate with respect that the drawings provided during the hearing with the locations of the Building Restriction Lines*

*-All five homeowners were present during the meeting that occurred on April 16, 2018, with District Properties and they supplied them with two options prior to coming back to the PSC*

*-The Chair asked if there are any other public space elements that are being proposed within the public space. The air conditioners should be included. The applicant must resubmit revised plans with accurate dimensions on them.*

*The plan that was submitted has the following concerns:*

**PSC Chair's concern:** *Over height fence not shown on revised drawings but existing in public space*

**PSD's concern:** *Distance between two existing curb cuts (minimize the width) 4307 S Capitol Street SW & 4305 S Capitol Street SW and accurate dimension on the South Capitol Terrace side of the street with regards to the proposed parking spaces*

**OP's concern:** *Needs a revised plans in order to make a decision that would accommodate all of the residents' concerns and compliant parking spaces.*

**DCRA's concern:** *Needs a revised plan in order to make a decision that would show compliant parking spaces in public space.*

**11: 23 am – 11:30 am**

**Approved as Submitted Vote: 3 to 0**

- 2) **ANC 7D01 - 633 21ST STREET NE** - Permittee: S2 21ST STREET NE LLC S2 21ST STREET NE LLC - Owner: S2 21ST STREET NE LLC S2 21ST STREET NE LLC - Fixture: Bollard(s) (Exception), Retaining Wall to 42", Landscaping: New Tree Space(s), Stormwater Mgmt (Exception Serve Private), Tree Planting, Paving: Driveway(s) Close Existing, Leadwalk Only, Projections: Bay Window(s), Window Well(s) # 277109  
*Discussion: The transformer vault is on private property per the applicant and the retaining wall and bollards will not be installed.*

**11:35 am - 11:38 am**

**Approved as Submitted Vote: 3 to 0**

- 3) **ANC 2C01 - 1299 PENNSYLVANIA AVENUE NW** - New Sidewalk Cafe Un-Enclosed - Permittee: CUCINA AL VOLO E TREET LLC - CUCINA AL VOLO E TREET LLC # 10560211  
*Discussion: All reviewers have signed off with the exception of Fine Arts Commission they also have had thirty-days to respond and have not responded*  
*The property owner name will be revised on the application so that the permittees name is (Warner Investments)*

**11: 40 PM – 11:58 am**

**Tabled application    Vote: 4 to 0**

ANC 1C01 - **2000 18TH STREET NW** - Permittee: William H Price - Owner: Christopher Lynch - Fixture: Fence (Exception over 42"), Street Fixture or Furniture (Exception) # 278056

*Discussion: The applicant discussed why the refrigerator (14' x 15' and 8' height) needs to be in public space (Upshur Burger is the new name of the establishment) and has been trying to locate another area to relocate the refrigerator. Renovating the basement would take at least a year and would potentially close the business.*

*The refrigerator can't remain in the public space; the*

*Chair and OP recommended that the applicant look into establishing an interior space within public space (below grade vault) and return to the PSC*

*The applicant was advise to start with Fire's review first once the new design has been completed.*

**12:00 pm -12:02 pm**

**(Applicant not present - 1<sup>st</sup> time)**

**Tabled    Vote: 3 to 0**

- 5) ANC 3F07 - **2950 VAN NESS STREET NW** - Permittee: Ava Van Ness - Owner: Ava Van Ness - Fixture: Sign (w/footings)(Exception) # 278280

**12:03 pm- 12:10 pm**

**Approved w/Conditions    Vote: 3 to 0**

- 6) ANC 6A08 - **101 15TH STREET NE** - New Sidewalk Cafe Un-Enclosed - Permittee: Christopher Pitorri - Christopher Pitorri # 10561868

*Discussion:*

*The air conditioner and the trash containers have been removed by the applicant*

*The applicant was notified at the hearing that any changes to the paved area must come back before the PSC and is not permitted without PSC approval*

*The applicant will need to identify two (2) ADA compliant if he keeps at the number of seats on the site plan but if he removes one seat then only one (1) ADA seat will be required.*

**12:13 pm -1:01 pm**

**Tabled application    Vote: 3 to 0**

**(Allow applicant to resolve preservation plan as commented by UFD and the applicant must provide a more comprehensive gateway plan)**

*Matthew Marcou excused himself from review/approval of this application*

- 7) ANC 5A04 - **620 MICHIGAN AVENUE NE** - Permittee: Bernard Guay - Owner: Bernard Guay - Fixture: Bollard(s) (Exception), Wall (Exception over 42"), Landscaping: Stormwater Mgmt (Exception Serve Private), Over Head Work: Streetlight(s) Installation, Paving: ADA Curb Ramp, Curb & Gutter(s), Driveway(s) Close Existing, Sidewalk(s) # 278601

*Discussion: Applicant submitted drawings during the meeting*

**-Four Non-Standard Items: Bollards, light fixtures, entry walls and the special paving that extend to the curb.**

*The applicant is still working with UFD regarding the trees and having an arborist to provide documentation regarding the trees will be protected and this is the first of three more applications that they will be GW will be applying for.*

*There is a GW Campus Master Plan that is current and there is also one that is in development*

*-DCRA's preferred that the bollards should be pulled back onto private property  
OP's wanted to know why couldn't they pull back the special paving to only 1/3 of the sidewalk area on McCormick Drive, NE*

*PSD's – Why can't the planting strip be continued? The applicant stated that he has other mater plans and is only in the conceptual stages at this time.*

*The timeline for construction is this summer and the master plan (for the crossing of the Metro on the other side of the roadway) he didn't have a timeframe for construction of the Mater plan*

**Matthew Marcou returned to the meeting**

**1:02 pm – 1:48 pm**

**Tabled application Vote: 4 to 0**

- 8) ANC 3G03 - **3012 MILITARY ROAD NW** - Permittee: sabri eriksen - Owner: sabri eriksen - Paving: Driveway(s) New -Residential # 278822

*Discussion: The applicant stated that he's the only resident without off-street parking on Military Road currently. The applicant has given three options that he wants the PSC to consider.*

*Randy Speck (ANC3G) testified and has agreed to the options that include the turn-around and options 3 & 4 the same safety concerns would exist.*

*Anne Renshaw (Neighbor/passed ANC Commissioner) testified and provided a written copy of her testimony*

*Chair's: Options 2 the PSC can't support due to the amount of paving and*

***\*Applicant will upload the following Options 3 & 4 only; then they would be forward only to UFD, Traffic Safety and ANC for review/approval prior to returning to the PSC***

**1:50 pm - 3:52pm**

**Tabled**

**Vote: 4 to 0**

- 9) ANC 1B04 - **2122 14TH STREET NW** - Permittee: MT14 LLC - Owner: MT14 LLC - Paving: Driveway(s) Close Existing, Driveway(s) New- Commercial # 288898

*Discussion: The issue is the W Street access vs the alley; the applicant also stated that they are at fifty percent design currently.*

*Chair's - "Why can't you provide access off the alley?" The applicant stated that the issue is the clearances for exiting quick enough and provided diagrams to display why they wouldn't be able to meet ramp requirements due to the width of the alley.*

*PSD's – Asked if the applicant looked into the option of using the alley (as one way) or an elevator option*

***The Hamilton*** – Ms. Hilliard supports the access from W Street and three other residents that provided written support for the access

***The Hudson*** – Mr. Harvey testified in opposition to the access on W Street

The Chair recommended that the applicant, their engineers and DDOT Engineer meet by next week and discuss this method being used.

PSD's – Ms. Chamberlin even suggested widening the alley

OP's - Applicant could also try having the garage access at the southernmost point of the building



**Motion:** *PSC Tabled the application and to have the applicant perform the following analysis prior to returning to the PSC for review/approval:*

*Related vehicle plans are to reviewed by DCRA or DDOT by a designee (by Chair)*

*Provide engineering plans related to access be reviewed by HP for impacts*

*The applicant consider widening the existing 15 feet alley either a portion or entire alley that provide a safe method for vehicles to enter/exit from W Street and also widening the alley with two-way use*

*All engineering plans that consider access in alley with one way use be submitted and PSD and (Anna Chamberlin will be the point of contact)*

**3:54 pm – 4:05 pm**

**Approved w/Condition**

**Vote: 4 to 0**

- 10) ANC 6E01 - 1501 9TH STREET NW** - Convert to Enclosed Cafe - Permittee: Adrian Williams - Adrian Williams # 10585809

*Discussion: Planting (three feet of green space) the applicant doesn't want to install and couldn't give an exception for the green space in public space. The applicant stated that if the green space is installed in the front then the enclosure is obsolete the café would be too small and encourage the presence of rodents.*

*Condition: That the three feet buffer be provided and maintained along the café area on both 9<sup>th</sup> Street and P Street, NW*

**4:06 pm – 4:13 pm**

**Approved w/Condition**

**Vote: 4 to 0**

- 11) ANC 7B01 - 3500 MINNESOTA AVENUE SE** - Permittee: TEXAS GARDENS PARTNERS LLC TEXAS GARDENS PARTNERS LLC - Owner: TEXAS GARDENS PARTNERS LLC TEXAS GARDENS PARTNERS LLC - Paving: Curb & Gutter(s), Driveway(s) Repair or Replace, Sidewalk(s) # 275594

*Discuss: Two curb cuts for three new residential buildings. The applicant has no objection to revising the radius. The applicant stated that there is no Special Heritage Trees at this location. He does have tree removal permits pending*

*Condition: The applicant will revise plans and use the traditional eighteen inch flares*

**4:13 pm – 4:33 PM**

**Tabled to address recommendation modification**

**Vote: 4 to 0**

- 12) ANC 3D,ANC 3D,ANC 3D04,04,04 - 5704 SHERIER PLACE NW,5706 SHERIER PLACE NW,5708 SHERIER PLACE NW** - Permittee: KC Price - Owner: ORACLE BUILDERS DEVELOPMENT LLC ORACLE BUILDERS DEVELOPMENT LLC - Paving: Curb & Gutter(s), Driveway(s) New -Residential # 276208

*Areaway clearance at four feet is the compliant (option 2 Revised L101)*

*PSC Recommendation Modification: Reducing the ark/handrail and bring the steps in to greatest degree possible (as close to 4' possible) prior to returning to PSC*

**6:47 pm – 6:48 pm**

**Approved w/Condition**

**Vote: 3 to 0**

- 13) - 7TH STREET NW AND T STREET NW** - Permittee: Curry Hackett - Owner: Curry Hackett - Fixture: Sign (w/footings)(Exception), Paving: Sidewalk(s) # 207739  
*(applicant requested to be the last heard application)*

*Applicant provide plans showing existing uses of public space and the Office of Planning will review and approve those revised plans*

**4:34 pm – 4:36 pm**

**Tabled**

**Vote: 4 to 0**

- 14) ANC 6B06 - **415 14TH STREET SE** - Permittee: FP Capitol LLC - Owner: FP Capitol LLC - Fixture: Bike Rack(s): DDOT Standard, Bike Share Station, Landscaping: Tree Planting, Over Head Work: Streetlight(s) Installation, Paving: Driveway(s) Close Existing, Driveway(s) Repair or Replace, Projections: Bay Window(s), Canopy # 275979  
*Discussion: Curb cut off 5<sup>th</sup> Street to service residential properties, the applicant is still working with UFD and has applied for tree removal permits and relocation of streetlights.*  
**Condition: To allow the applicant to modify plans to minimize area way to the greatest extent possible**

**4:36 pm 6:17pm**

**Tabled**

**Vote: 4 to 0**

- 15) ANC 6B,ANC 6B02,02 - **416 D STREET SE,400 D STREET SE** - Permittee: Ryan Brannan - Owner: Evergreen Ebenezer - Paving: Driveway(s) New -Residential # 275852  
*Discussion: ANC-6B-Opposed to the application and attended the meeting Commissioner Schroff testified that because the Police station with emergency vehicles that are located on the block and the traffic that goes to the sub-station is the ANC's concerns. There were four other residents that were in opposition. Mr. & Mrs. Ambrose, Mr. Chris Burger, Fredrick Rouse, Janice Kruger.*  
*Support testimony came from both Mr. David McMillen and Old Ebenezer Church and eight other community member listed on their written testimony.*  
*Chair's asked for the final parking plan and the answer was no, not yet per the applicant. The applicant is proposing sixteen spaces and the PSC needs to see a parking plan before coming back before the PSC next month; the only issue pending will be the "parking" and you should reduce the radius of the driveway.*

**6:18 pm -6:34 pm**

**Approved w/Condition Vote: 4 to 0**

**Vote: 4 to 0**

- 16) ANC 4A08 - **1615 CRITTENDEN STREET NW** - Permittee: AWOUKOU OWOFI - Owner: FREDERIC HEGBE - Fixture: Fence (Exception over 42") # 276516  
*Discussion: Applicant modified the plan with the Arch fence type at six feet high and be placed*  
*-Mr. Wiley (DCRA) will work with you to get a building plat and the actual placement of the proposed plan.*  
*-Reach out to the Office of Foreign Mission*  
**Conditions: Retaining wall, three feet then hedges, six feet fencing based on Arch 01 series that was presented during the hearing.**

**Applicant not present**

**Tabled application -**

**Vote: 4 to 0**

- 17) ANC 6E07 - **901 3RD STREET NW** - Permittee: IBF Development - Owner: IBF Development - Landscaping: Stormwater Mgmt (serve public), Paving: ADA Curb Ramp, Curb & Gutter(s), Driveway(s) New -Residential, Leadwalk Only, Mill and Overlay, Sidewalk(s) # 221693

**6:34 pm – 6:39 pm**

***Denied***

***Vote: 4 to 0***

- 18) ANC 3C08 - 3314 CATHEDRAL AVENUE NW** - Permittee: AD&F LLC - Owner: Henry Kaminski - Fixture: Fence (Exception over 42") # 278027  
The applicant has failed to demonstrate a reason for the over height fence; the fence must be removed from public space.

**6:40 pm – 6:45 pm**

***Approved w/Condition***

***Vote: 4 to 0***

- 19) ANC 6C06 - 15 K STREET NE** - New Sidewalk Cafe Enclosed - Permittee: Ermiyas Asfaw - Ermiyas Asfaw # 10252444  
*Discussion: The applicant stated that the Pavers will go directly on top of the grassy area.*  
*Conditions: Revised plans must be uploaded and will be reviewed and approved by Kelsey Bridges. These plans must show dimensions and the layout*

***The PSC adjourned at 6:48 pm***